

**NOTICE AND AGENDA**  
**SUNNYVALE CITY COUNCIL AND**  
**ONIZUKA LOCAL REDEVELOPMENT AUTHORITY MEETING**  
**TUESDAY, OCTOBER 14, 2008**  
**COUNCIL CHAMBERS, 456 W. OLIVE AVE.**  
**SUNNYVALE, CALIFORNIA**

<b>5 P.M. SPECIAL COUNCIL MEETING (Closed Session)</b>
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City Council Closed Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Closed Session – *The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.*
  - **Conference with Labor Negotiator pursuant to Government Code Section 54987.6; Negotiator: Erwin Young, Director of Human Resources; Employee Organizations: Service Employees International Union (SEIU) Local 715 (part-time employees); and Sunnyvale Management Association**
  - **Conference with Labor Negotiators pursuant to Government Code 54987.6. Negotiator: Amy Chan, City Manager; Non-represented Management Employees and Executives**
4. Adjourn Special Meeting

<b>6 P.M. SPECIAL COUNCIL MEETING (Closed Session)</b>
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City Council Closed Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Closed Session – *The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.*

**Closed Session pursuant to Section 54956.8 – Conference with Real Property Negotiator**  
**Property: Sunnyvale Town Center**  
**Negotiating Parties: Amy Chan, Agency Director; Peter Pau and Catherine Minor, Sunnyvale Mixed Use LLC**  
**Under Negotiation: Amendment to Terms of ARDDOPA**
4. Adjourn Special Meeting

<b>7 P.M. COUNCIL MEETING</b>
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<p><i>Pursuant to Council Policy, the City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein could be subject to change from date of printing of the agenda to the date of the meeting.</i></p>
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*Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, CA. during normal business hours, posted online with the agenda following the meeting, and in the Council Chambers on the evening of the Council Meeting, pursuant to Government Code §54957.5.*

**SALUTE TO THE FLAG**

**ROLL CALL**

**SPECIAL ORDER OF THE DAY** – Sunnyvale Education Collaborative/Project H.E.L.P.

**CLOSED SESSION REPORT FOR OCTOBER 14, 2008**

Conference with Labor Negotiator pursuant to Government Code Section 54987.6;  
Negotiator: Erwin Young, Director of Human Resources; Employee Organizations: Service Employees International Union (SEIU) Local 715 (part-time employees); and Sunnyvale Management Association

**CLOSED SESSION REPORT FOR OCTOBER 14, 2008**

Conference with Labor Negotiators pursuant to Government Code 54987.6.  
Negotiator: Amy Chan, City Manager: Non-represented Management Employees and Executives

**CLOSED SESSION REPORT FOR OCTOBER 14, 2008**

Closed Session pursuant to Section 54956.8 – Conference with Real Property Negotiator  
Property: Sunnyvale Town Center  
Negotiating Parties: Amy Chan, Agency Director; Peter Pau and Catherine Minor, Sunnyvale Mixed Use LLC  
Under Negotiation: Amendment to Terms of ARDDOPA

**PUBLIC ANNOUNCEMENTS**

*Each speaker is limited to three minutes for announcements of community events, programs, or recognition.*

**CONSENT CALENDAR**

- 1.A. MOTION Approval of Draft Minutes of September 30, 2008
- 1.B. MOTION Approval of Draft Minutes of October 7, 2008
- 1.C. MOTION Approval of Information/Action Items – Council Directions to Staff

**Fiscal Items**

- 1.D. MOTION List of Claims and Bills Approved for Payment by the City Manager – List  
RTC 08–302 No. 422

Staff Recommendation: Council reviews the attached lists of bills.

Staff Contact: Pete Gonda, (408) 730-7385

- 1.E. MOTION Transmittal of Performance Audits of FY 2006/2007 for the Department of  
RTC 08–300 Employment Development Programs

Staff Recommendation: Council receives the audit report and concurs with management's acceptance of recommendations.

Staff Contact: Mary Bradley, (408) 730-7398

- 1.F. MOTION Amendment to Investment and Cash Management Policy  
RTC 08-307

Staff Recommendation: Council adopts amendments to the attached Investment Policy Section III A. Authorized Investments.

Staff Contact: Therese Balbo, (408) 730-7604

### **Personnel**

- 1.G. MOTION Adoption of Sunnyvale Employees' Association (SEA) Memorandum  
RTC 08-310 of Understanding 2008-2012

Staff Recommendation: Adopt the Memorandum of Understanding with the Sunnyvale Employees' Association.

Staff Contact: Erwin Young, (408) 730-7495

### **Contracts**

- 1.H. MOTION Authorization to Modify an Existing Contract for Fire Protection  
RTC 08-308 Engineering Services for the Sunnyvale Town Center Project (F0809-19) and Approval of Budget Modification No. 14

Staff Recommendation:

- Council modifies an existing contract with ESH Consultants in substantially the same form as the attached Agreement Amendment, by increasing authorized expenditures from \$100,000 to \$210,000 and extend the contract period to January 31, 2010.
- Council delegates authority to the City Manager to exercise an option to extend the contract for one additional one-year period, provided that pricing and service remain acceptable to the City
- Council approves Budget Modification No. 14 to fund the additional amount necessary for the project.

Staff Contact: Pete Gonda, (408) 730-7385

- 1.I. MOTION Award of Bid No. F0808-14 for Citywide School Pedestrian Safety  
RTC 08-304 Improvements

Staff Recommendation: Council awards a contract in substantially the same form as the attached draft and in the amount of \$214,850 to Republic ITS, Inc. for construction of the Citywide School Pedestrian Safety Improvements Project and Council approves a project contingency in the amount of \$32,228.

Staff Contact: Pete Gonda, (408) 730-7385

### **STAFF RESPONSES TO PRIOR PUBLIC COMMENTS**

*Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments*

## **PUBLIC COMMENTS**

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

## **PUBLIC HEARINGS/GENERAL BUSINESS**

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. **Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.***

2. MOTION City of Sunnyvale Affordable Housing Strategy  
RTC 08-309

Staff Recommendation: Council adopts the Affordable Housing Strategy.  
Staff Contact: Laura Simpson, (408) 730-7698

3. MOTION Consider a More Aggressive Approach to Code Enforcement [Study  
RTC 08-301 Issue]

Staff Recommendation: Council directs staff to work with the Office of the City Attorney to amend the Administrative Citation Fee Schedule, reduce the administration citation appeal period from 30 days to 15 days, and amend the automobile/vehicle service ordinance; Council directs staff to write a study issue paper to explore different alternatives for the City to assist with graffiti abatement on private property.  
Staff Contact: Christy Gunvalsen, (408) 730-7255

4. MOTION Consider Transitioning the Child Care Advisory Board to a Staff-Advisory  
RTC 08-294 Committee (Study Issue)

Staff Recommendation: Council supports staff's recommendation to transition the Child Care Advisory Board to a Staff-Advisory Committee.  
Staff Contact: Angela Chan, (408) 523-8150

5. MOTION Request for Proposals (RFP) Review by Council Prior to Issuance (Study  
RTC 08-303 Issue)

Staff Recommendation: Council continues the current practice of preparing, issuing and evaluating RFPs without advance review by Council, but provides additional standard information in staff reports including RFP evaluation criteria/weighting, a list of proposers and an explanation of why a proposal is being selected for recommended approval.  
Staff Contact: Pete Gonda, (408) 730-7385

## **NON-AGENDA ITEMS & COMMENTS**

- Council
- Staff

### **INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar
- Draft Minutes of the Housing and Human Services Commission of September 24, 2008

### **ADJOURNMENT TO THE ONIZUKA LOCAL REDEVELOPMENT AUTHORITY**

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#### **ONIZUKA LOCAL REDEVELOPMENT AUTHORITY**

#### **ROLL CALL**

#### **CONSENT CALENDAR**

LRA 1.A. MOTION Approval of Draft Minutes of Regular Meeting of August 26, 2008

LRA 1.B. MOTION Adopt Public Hearing Dates for Onizuka Air Force Station (AFS) Reuse Plan  
LRA 08-004

Staff Recommendation: Council approves the following timeline for review, adoption, and submission of the Onizuka AFS reuse plan:

- Post the draft plan to the City's website on October 24, 2008
- Hold a LRA study session on November 18, 2008
- Hold a public hearing on the draft plan on December 2, 2008
- Adopt the final plan on December 9, 2008
- Submit the plan to the Department of Defense no later than December 15, 2008

Staff Contact: Robert Switzer, (408) 730-7512

#### **STAFF RESPONSES TO PRIOR PUBLIC COMMENTS**

*Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Authority meetings. Staff will not necessarily respond to all public comments.*

#### **PUBLIC COMMENTS**

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Authority Chair) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Authority members. If you wish to address the Authority, please complete a speaker card and give it to the Authority clerk. Individuals are limited to one appearance during this section.*

### **INFORMATION ONLY REPORTS/ITEMS**

- Onizuka Local Redevelopment Agency Study Session Summary of September 30, 2008

### **ADJOURNMENT**

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#### **Notice to the Public:**

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W.

Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

## **GUIDELINES FOR ADDRESSING THE CITY COUNCIL**

### **Public Announcement – Beginning of Council Meeting**

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis. (only announce one time).

### **Public Hearing – Order of Hearing as Follows:**

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

### **Public Comments**

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the city clerk. Individuals are limited to one appearance during this section.

### **Planning a presentation for a City Council/Planning Commission meeting?**

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chambers Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chambers prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

### **Planning to present materials to Council?**

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

### **SCHEDULED COUNCIL MEETINGS**

<b>DATE</b>	<b>MEETING</b>	<b>TIME</b>	<b>PLACE</b>
October 21, 2008	Council Meeting	7 p.m.	Council Chambers
October 27, 2008	Special Council Meeting – Closed Session	6 p.m.	TBD
October 28, 2008	Council Meeting	7 p.m.	Council Chambers
November 18, 2008	Council Meeting	7 p.m.	Council Chambers
November 25, 2008	Council Meeting	7 p.m.	Council Chambers

### **OTHER SCHEDULED MEETINGS**

October 15, 2008	Arts Commission	7 p.m.	Council Chambers
October 16, 2008	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf. Room
October 22, 2008	Housing and Human Services Commission	7 p.m.	West Conf. Room
October 20, 2008	Personnel Board	5 p.m.	Council Chambers
October 27, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
October 27, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
October 29, 2008	Administrative Hearing	2 p.m.	West Conf. Room
November 3, 2008	Board of Library Trustees	7 p.m.	Council Chambers
November 5, 2008	Heritage Preservation Commission	7 p.m.	West Conf. Room
November 10, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
November 10, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
November 12, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
November 12, 2008	Administrative Hearing	2 p.m.	West Conf. Room
November 19, 2008	Arts Commission	7 p.m.	Council Chambers
November 20, 2008	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf. Room
November 24, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
November 24, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
November 26, 2008	Administrative Hearing	2 p.m.	West Conf. Room

### **CHANNEL 15 – KSUN**

October 7, 2008	City Council Meeting – Live	7 p.m.
October 8, 2008	City Council Meeting – Replay of October 7, 2008	7 p.m.
October 12, 2008	City Council Meeting – Replay of October 7, 2008	4 p.m.
October 14, 2008	City Council Meeting – Live	7 p.m.
October 15, 2008	City Council Meeting – Replay of October 14, 2008	7 p.m.
October 19, 2008	City Council Meeting – Replay of October 14, 2008	4 p.m.
October 21, 2008	City Council Meeting – Live	7 p.m.
October 22, 2008	City Council Meeting – Replay of October 21, 2008	7 p.m.
October 26, 2008	City Council Meeting - Replay of October 21, 2008	4 p.m.
October 28, 2008	City Council Meeting – Live	7 p.m.
October 29, 2008	City Council Meeting – Replay of October 28, 2008	7 p.m.
November 2, 2008	City Council Meeting – Replay of October 28, 2008	4 p.m.
November 18, 2008	City Council Meeting – Live	7 p.m.
November 19, 2008	City Council Meeting – Replay of November 18, 2008	7 p.m.
November 23, 2008	City Council Meeting – Replay of November 18, 2008	4 p.m.
November 25, 2008	City Council Meeting – Live	7 p.m.
November 26, 2008	City Council Meeting - Replay of November 25, 2008	7 p.m.
November 30, 2008	City Council Meeting – Replay of November 25, 2008	4 p.m.



